

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
NE/S Spring Ave., 815 ft. NW \* ZONING COMMISSIONER  
of c/l Karl Avenue \*  
1418 Spring Avenue \* OF BALTIMORE COUNTY  
14th Election District \*  
6th Councilmanic \* Case No. 92-32-A  
Joseph M. Ruscito  
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Sections 1801.2.C.2.a and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and from Section V.B.5.a and b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit 10 ft. window and building to tract boundary setbacks in lieu of the required 35 and 30 ft., respectively, as more particularly described on the site plan submitted and marked Petitioner's Exhibit No. 1.

The Petitioner, Joseph M. Ruscito, Sr., appeared and testified. Also appearing on behalf of the Petitioner were Joseph M. Ruscito, Jr., Petitioner's son, and Frank Lee, the surveyor who prepared the plat to accompany the Petition. Appearing in opposition was the Petitioner's next door neighbor, Richard Radecke of 1418.5 Spring Avenue.

Testimony at the hearing indicated that the subject property, known as 1418 Spring Avenue, consists of a gross area of 1.184 acres zoned D.R. 5.5. The Petitioner has subdivided this property into three lots as shown on Petitioner's Exhibit 1. Lot 1 is improved with a dwelling; Lot 2, immediately to the rear of Lot 1, is served by a panhandle driveway which traverses the east side of the property; and Lot 3, which adjoins Lot 2, is located to the rear of the property and is not served by a panhandle driveway which runs along the easternmost boundary of the entire parcel. It is Lot 3 where the Petitioner seeks his variance. Specifically, the

Petitioner proposes to construct a dwelling on Lot 3 which will face east-erly toward the driveway. Although, construction of the proposed dwelling meets all other area setback requirements, the configuration of the lot and situation of the house thereon requires a variance from the B.C.Z.R. and C.M.D.P. relating to window and building to boundary setbacks.

Messrs. Ruscito and Lee testified that the unusual configuration of the lot mandated the need for such a variance and that same would not adversely affect the surrounding locale.

As indicated above, the immediate next door neighbor, Mr. Radecke, appeared in opposition to the Petitioned variance. He presented numerous exhibits setting forth in detail his reasons for opposition. As is appar-ent from these exhibits, there is contention between these neighbors. Further, it is apparent that the main source of this aggravation arises from water runoff allegedly coming from the Ruscito property. That is, Mr. Radecke claims that due either to a combination of storm water runoff and/or Mr. Ruscito's sump pump, his land is continually flooded. There has also been civil litigation between the neighbors over this issue.

It must be noted that the scope of my inquiry is limited to the vari-ance before me. I have neither the inclination, nor the authority to interpret the proprietary rights of these parties. My decision relates only to the building and window setbacks from the property line referenced in the above sections of the B.C.Z.R. and C.M.D.P. Further, it should be noted that the property has sufficient density to enable Mr. Ruscito to develop his property in accordance with Petitioner's Exhibit 1.

An area variance may be granted where strict application of the zon-ing regulations would cause practical difficulty to the Petitioner and his

property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the prop-erty for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relax-ation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fash-ion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variance was not granted. It has been established that the require-ments from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular par-cel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of November, 1991 that the Petition for Zoning Vari-

ance from Sections 1801.2.C.2.a and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and from Section V.B.5.a and b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit 10 ft. window and building to tract boundary setbacks in lieu of the required 35 and 30 ft., respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Any construction on the subject site must be architecturally compatible with the predominant character of the neighborhood.
3. Prior to the issuance of any permits, Petitioner shall submit all building and/or architectural plans for approval by the Deputy Director of the Office of Planning and Zoning, as set forth in his Zoning Advisory Committee comments dated September 24, 1991.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mnn

ORDER RECEIVED FOR FILING  
Date 11/30/91  
By M. D. Radecke

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Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

December 2, 1991

Mr. Joseph M. Ruscito, Sr.  
1418 Spring Avenue  
Baltimore, Maryland 21237

RE: Petition for Zoning Variance  
Case No. 92-32-A

Dear Mr. Ruscito:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mnn  
att.  
cc: Mr. Richard Radecke

\*\*  
IN THE MATTER OF \* BEFORE THE  
PETITION FOR VARIANCE \* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
JOSEPH M. RUSCITO \* Case No. 92-32-A

MEMORANDUM IN OPPOSITION TO  
GRANTING OF PETITION

Joseph M. Ruscito (Petitioner), resident of 1418 Spring Ave., a home in the Rosedale residential community, has petitioned for an area variance to allow development of land Mr. Ruscito sub-divided. In order to accomplish such a use the Petitioner must circumvent the mandated residence setbacks.

FACTS

Joseph M. Ruscito and Zana Ruscito purchased the property, reference liber 4929 folio 722. On May 17, 1970 (liber 5118/510), Joseph M. Ruscito and Zana Ruscito sub-divided the parcel now known as 1418.5 Spring Ave. Joseph M. Ruscito has owned the property known as 1418 Spring Ave., parcel 154 since 11-21-74 Liber 5492, folio 380. On 9/21/90, Mr. Ruscito sub-divided parcel 154 into three parcels and transferred two (2) parcels to Joseph M. Ruscito and Nancy Ruscito reference liber 8600 folio 0536 parcel 1157 and liber 8600 folio 0539 parcel 1158. Mr. Ruscito is requesting parcels 1157 and 1158 be allowed the area variance circumventing setbacks. Mr. Ruscito is not and was not the sole owner of these properties at the time he filed his variance request.

The Baltimore County Soil Survey maps the land as Loamy and Clayey. This fact was verified by a Drainage Study [3] Mr. Radecke had performed in May

\*\* NOTE: [ ] refer to footnotes at end.

Variance Page 1

1991. Mr. Ruscito has been given a copy of this drainage study. The drainage study was performed on 1418.5 Spring Ave. The parcel Mr. Ruscito sub-divided in 1970. This type of soil presents numerous problems for development and maintenance.

The Drainage study found high water table and a permeability problem (drainage). When this situation exists the owner is responsible for a ground water investigation [1] and providing for the proper disposal of the ground water [2]. Has Mr. Ruscito performed a ground water study on the subject parcels?

It is significant to note that parcels 1157 and 1158 must drain onto neighboring properties "downstream". Since these are panhandle parcels they have no drainage access to a storm drain or approved waterway. [Exhibit 5] Code sec. 22-88 Drainage requires drainage facilities adequate to accommodate additional runoff generated by proposed development. Sec. 22-99 Slope Protection and Soils is applicable because of the slope and severe and moderate limitations to development. Again referring to The Baltimore County Soil Survey p117 "Use of soils for town and country planning":

"Soils are an important consideration in the preparation of plans for towns and other subdivisions of government. Planners must take into account the location and extent of soils that have high water tables, impermeable layers, unstable material \* \* \* or are subject to flooding. Public health officers need to know how soils affect the plans they make and the permits they approve. Information in this section can be an effective tool in making land-use decisions, selecting sites for particular uses, and for site development after selection \* \* \* as the severity of a soil limitation increases so does the cost of overcoming or modifying it. Annual maintenance costs of facilities on soils having limitations generally increase as the severity of the limitation increases."

Variance Page 2

Reference p121 of the Soil Survey, Table 7 Limitation of soils for town and country planning.

Loamy and clayey land: Homesites with/and without basements:  
Severe: sub-soil shrinkage and instability.

"Severe means soil properties so unfavorable and so difficult to correct or overcome as to require major soil reclamation, special designs, or intensive maintenance."

Reference p45 of the Soil survey "Loamy and Clayey Land" in part:  
\* \* \* Because of the instability the clay, particularly under pressure or load, can squeeze out from below building foundations, allowing footings or basements to crack and settle, and in extreme cases buildings have been severely damaged. Banks and fills of this material have collapsed, resulting in severe damage to property and injury and even death to people."

Table 1201 of BOCA shows the "Presumptive Surface Bearing Values of Foundation Materials". Hard dry clay can carry 4 tons per square foot. While soft clay is only presumed to be able to carry 1.5 tons per square foot.

In addition parcels 1157 and 1158 lie within 300' of Red House Run Creek. [Exhibit 5] The "Forest Buffer" Bill [4] addresses properties whose characteristics include highly erodible soils, steep slopes and boundaries within 500' of a state waterway. The soil erodibility "k" value of the loamy clayey soil ranges from .28 to .37 per the Baltimore County Soil Conservation District. These values are greater than .24 "k" value cited in code sec. 38-38(c)(1)(b) of the Buffer bill. This type of soil condition is referred to as a "critical area". [5] Steep slopes increase runoff velocity as does development from roofs, etc. [5]

To further point out my concern for safety and welfare of my adjacent property, I refer to Mr. Ruscito's own testimony on Sep. 5, 1990 in the Circuit Court of Baltimore County [Exhibit 2]. He stated that we have a

Variance Page 3

drainage problem caused by the property behind him and to the east of his property. I refer your attention to Mr. Ruscito's plat plan for his sub-division. The drainage problems are due to Mr. Ruscito's own properties (parcel 1157 and 1158) and properties further upstream. [Exhibit 5] Mr. Radecke has had a drainage problem. In Mr. Ruscito's own words, due to upstream properties. However, Mr. Ruscito objects to channeling of runoff and trapping of sedimentation emanating from his property. It appears to me that Mr. Ruscito does not recognize the need for controlling runoff thru the use of swales, fill slopes and cut slopes to prevent sedimentation and erosion. This is a recommended procedure. [6] The property at 1420 Spring Ave. also has severe water problems [Exhibit 3] as well as Mr. Ruscito [Exhibit 4].

Mr. Ruscito claims riparian rights to the letter or drop of water, while civil law qualifies riparian rights based on the specific circumstances. [5] A differentiation is made between gently flowing water and torrents of water causing erosion and damage. Civil law also provides for the protection of one's own property from damage.

In *Crowthers, Inc. v. Johnson*, 170 A.2d 768, 333 Md. 173, it was stated that "the zoning board may have the right to require a variance or exemption 'will not adversely affect use of neighboring areas'."

While *Schultz v. McIntosh*, 391 Md. 1, 80 A.2d 195, dealt with a special exception, there is sufficient evidence to apply the rule that a special exception use could not be granted if the requested use would be detrimental to the health, safety, or general welfare of the locality. Undoubtedly, certainly increased storm water runoff and the erosion factor on the 1418.5 lot would be detrimental.

Variance Page 4

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Further there are numerous citations where hardship and practical difficulty are not just cause for granting a variance when circumstances have been themselves caused or created by owner or his predecessor in title. Remember Mr. Ruscito has created the sub-division for his own convenience. In addition profitability is also insufficient to justify granting a variance. The only apparent objective for Mr. Ruscito seems to be convenience, without substantial and urgent circumstances. [6] (Citations)

While it is true that variances have been granted to circumvent setbacks, the unique circumstances of the soil conditions, the location of the parcels relative to a state waterway, lack of access to public drainage and over development in the area further point out the convenience for the property owner.

This particular area is zoned as DR 5.5. I contend that considering the circumstances, this high of a density factor is unwarranted. I would point out a situation very near to my residence. That is: 8014, 8016, and 8018 Sagamore Rd. While the slope is much steeper for these properties the soil is mapped as being loamy and clayey. It has a "K" value of at least .28. The county has spent enormous amounts of money to hold back the slope. In driving past 8016, I observed the foundation and brick wall having to be replaced. I cannot imagine the expense to these residents and taxpayers. To this day I wonder if the developer has shared the burden since he reaped the entire profit. This area also has a density factor of DR 5.5.

I recall the following:  
"The various purposes of zoning regulations, ... are:  
to secure the public safety; to promote health and the general welfare....Such regulations shall be made with reasonable

Variance Page 5

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consideration, among other things, to the character of the District and its suitability for particular uses...and the most appropriate use of land throughout the Jurisdiction. Art. 668, Sec. 4.03."

"...the very essence of zoning is the territorial division of land into use districts according to the character of the land and buildings, the suitability of land and buildings for particular uses, and uniformity of use. (Citations omitted)." *Schultz v. Pritts*, 291 Md. 1, 20 (1981)

The Baltimore County Master Plan, Stormwater Runoff Policy.  
"It is the policy of Baltimore County to control the quantity and quality of stormwater runoff..."

Issue: Control of Stormwater.  
Uncontrolled stormwater runoff floods homes, roadways and private property; transports water pollutants, such as sediments, ... However, because the knowledge base about stormwater is relatively recent and rapidly evolving, these programs are only moderately effective and only address a portion of the stormwater problem. Stormwater management problems, by and large, have been caused by the lack of stormwater runoff facilities...."

Respectfully submitted,

*Richard E. Radecke*  
Richard E. Radecke  
1418.5 Spring Ave.  
Baltimore, MD 21237  
(301) 686-3516

Variance Page 6

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- Footnotes
1. Baltimore County Code, BOCA 1224.2 Ground water table investigation
  2. Baltimore County Code, BOCA 1224.5.3 Drainage Disposal  
Baltimore County Plumbing and Gas Fitting Code Chapter 13 Storm Drains, 13.1.5 Subsoil Drains  
b. Sub-soil drains shall be piped to a storm drain, or to an approved water course or to the front street curb or gutter, or to the alley, or the discharge from the sub-soil drains shall be conveyed to the alley by a concrete gutter.  
Where a continuous flowing spring or ground water is encountered, sub-soil drains shall be piped to a storm drain or approved water course."
  3. Neubauer v. Overlea Realty Co, 142 Md. 87, 99, 120 A.69, 73
  4. Forest Buffer bill 224-90  
Article IV, The protection of Water Quality, Streams, Wetlands and Floodplains
  5. 1983 Maryland Standards and Specifications, for Soil Erosion and Sediment Control
  6. Citations relating to hardship and practical difficulty, etc.  
Zoning & Planning key 497.  
Md. 1962. Generally to establish undue hardship in use variance case it is necessary to show that practical difficulties or undue hardship alleged are peculiar to particular property involved. *Loyola Federal Sav. and Loan Ass'n v. Buschman*, 176 A.2d 355, 227 Md. 243.  
Md. 1965. There is hardship which may be relieved by variance where property, due to unique circumstances, cannot reasonably be adapted to use in conformity with zoning restrictions, but hardship must be caused solely through manner of operation of ordinance and variance cannot be granted if circumstances have been themselves caused or created by owner or his predecessor in title.  
*Salisbury Bd. of Zoning Appeals v. Bounds*, 214 A.2d 810, 240 Md. 547.  
Md. 1958. Plight of owner of real property seeking exception to zoning ordinance must be due to unique circumstances and not to general conditions in neighborhood.  
*Marino v. City of Baltimore*, 137 A.2d 198, 215 Md. 206.  
Md. 1964. Variance or special exception will not be granted on the basis of practical difficulties or unnecessary hardships if such are the result of the applicant's own action.  
*Pen Const. Co. v. City of Baltimore*, 196 A.2d 879, 233 Md. 372.  
Md. 1953. A need which will justify an exception to zoning ordinance must be substantial and urgent and not merely for the convenience of the applicant. *Carney v. City of Baltimore*, 93 A.2d 74, 201 Md. 130.

Footnotes..Page 7

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Md. 1950. Here fact that variance would take property into account to be a sufficient ground to justify granting of variance from zoning requirements of Baltimore Zoning Ordinance.  
*State v. Mayor and City Council of Baltimore*, 70 A.2d 481, 181 Md. 711.

Md. 1961. Zoning board has wide latitude of discretion in passing upon special exceptions, so long as resulting use is in accord with general purpose and intent of zoning plan and will not adversely affect use of neighboring properties and general plan of neighborhood as provided by zoning ordinance.  
*Crowthers, Inc. v. Johnson*, 170 A.2d 768, 333 Md. 173.

Md. 1970. Standard for granting of variance is whether strict compliance with zoning regulations would result in practical difficulty or unreasonable hardship.  
*Wasson v. Foley*, 310 A.2d 793, 370 Md. 200.

Key 409 grounds for grant or denial in general.  
Library references  
170 Zoning and Land Planning sec 209.

Footnotes..Page 8

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- Exhibit #1  
Drainage Study  
of 1418.5 Spring Ave.  
by Chesapeake Geotechnical Consultants, Inc.
- Exhibit #2  
Reporter's Official Transcript of Proceedings  
Case # 90CG1573  
Circuit Court of Baltimore County  
Sep. 5, 1990  
Radecke v Ruscito  
Pages 20-23 Direct examination of Mr. Ruscito by Mr. Caldwell
- Exhibit #3  
Copy Tax Assessment Worksheet  
Charles Frush  
1420 Spring Ave.  
Baltimore Md. 21237  
Acct# 14-06-059180  
NOTATION "Basement floods continuously"
- Exhibit #4  
Copy Tax Assessment Worksheet  
Joseph M. Ruscito  
1418 Spring Ave.  
Baltimore, MD 21237  
Notation "add 5% for basement", problem?
- Exhibit #5, Topography Map, Red House Run, Unimproved & Improved, Floodplain

Exhibits Page 9

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Statement in Opposition to Petition, Richard E. Radecke  
Joseph M. Ruscito Case # 92-32-A

Statement Page 10

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Good Morning  
I have a statement with only limited facts and data I would like to read and request my Memorandum in Opposition to the Variance petition be placed in the record.  
Richard E. Radecke 1418.5 Spring Ave. Baltimore Md 21237  
My property is adjacent to Mr. Ruscito's Property  
I have lived there since May 1971. My property was subdivided by Mr. Ruscito in 1970.  
Ever since that time I have experienced ground water disposal and storm water runoff problems. This is due mainly to the grading of both the Ruscito and Radecke properties.

To protect my property from erosion due to excessive runoff I installed what I call a fill slope to control the erosion. Since 1987, Mr. Ruscito has allowed sedimentation, silt, mud and debris to be transported by runoff onto my property. My fill slope has acted as a partial trap for some of the sediment. While government agencies find no violation, civil and common law allow me to protect my property from damage.

Early this year I read the Baltimore County Soil Survey and found my land has been mapped as loamy and clayey. This soil type has a very high soil erodibility "K" value in addition to steep slopes. This condition was confirmed by a drainage study I had performed in May 1991, which also proved the existence of high ground water table between our properties.

Statement Page 11



When a ground water problem exists, BOCA the Baltimore County Building Code requires the owner to do a ground water investigation and provide for proper disposal. I request this board to require Mr. Ruscito to comply with this section of the code.

I have provided a copy of a topo map of our area and it shows how storm runoff flows unto neighboring properties. The I parcels Mr. Ruscito seeks a variance for have no access to a storm drain or an approved waterway.

This is my major concern. This Loamy Clayey soil is unstable. For residential development the Soil Survey classified the character of the soil as severe, assuming soil properties of unfavorable and so difficult to correct or overcome as to require major soil reclamation, special designs, or intensive maintenance.

It further states the soil is dangerous to health, life and property.

The topo map also shows Red House Run Creek runs past 211' from the subject properties. Baltimore County in accordance with Federal and State regulations passed a Forest Buffer Bill which protected riparian erodible soils and steep slopes near a water way. The State in fact and construct these conditions as critical areas and can't surface the area with the Chesapeake Bay Critical Area. They are the critical areas.

Now I have provided an exhibit of the Baltimore Building Code and a statement bearing on July 19, 1990. Mr. Ruscito states that he will comply with the

Statement

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problem from the properties behind him and his neighbors. Take note that the property he speaks of he owns. His neighbors include the Baltimore County Board of Education which holds title to a significant land area beyond his property..

Mr. Ruscito objects to attempting to control runoff. What does he intend to do with the greatly increased runoff since we already have a problem? I see no provision on his plat plan. There are no utility easements for storm drains.

I respectfully remind the board that a variance can only be granted when it will not adversely affect neighboring properties. Certainly the current problem coupled with planned development will be detrimental.

The lack of access to storm drains or a public waterway is due solely to Mr. Ruscito's self created hardship. The only practical difficulty is trying to over develop property that the Soil survey shows to be problematic and dangerous. Keep in mind the soil survey was published in 1970. This was probably after planners and zoning officials allowed the density factor for this specific area to be 5.5. The survey cautions planners to consider high water tables, unstable material, flooding and adequate drainage.

The Hillbrooke Camelot development very near my property has experienced a very severe problem. The properties 8014, 8016 and 8018 Sagamore Rd. have the

Statement

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same loamy clayey soil on steep slope and tightly developed. The county has spent an enormous amount of money to keep these houses from sliding off the slope. I observed the foundation and brick wall of 8016 being replaced. I can't imagine the expense to the owners and taxpayers of this county because of bad planning and zoning. Did the developer share in the expense?

In Schultz v Pritts it was pointed out that some of the purposes of zoning regulations are to secure the public safety and general welfare with consideration given to land for its suitability for particular uses. I have great concern relating to the proposed development when I think about the Baltimore County Soil Survey's description of Loamy Clayey soil. Mr. Ruscito testified to an existing problem which he desires to aggravate. I believe the evidence I have presented defines a very difficult and dangerous situation.

The Baltimore County Master Plan, Stormwater Runoff Policy, states "It is the policy of Baltimore County to control the quantity and quality of stormwater runoff..."

I hope the board will evaluate the evidence I have presented. I understand the constitutional rights of property ownership. I also understand the dependence property owners place on zoning. However, the regulations are not cast in concrete. The blind density factor of 5.5 did not consider the sensitivity of the soil conditions. There was no need to at the time. The purpose was to generalize so society could progress.

Over time our knowledge of runoff, pollution and danger to our environment

Statement

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have slowly evolved. The board has the power to act for the public good and neighboring properties affected by these specific circumstances.

Let me restate my concern.

1. We have an existing storm runoff problem.
2. Development and the slope will greatly increase the velocity of the runoff.
3. The soil is highly erodible.
4. There are no storm drains. The parcels are blind except for neighboring properties.

Thank you for your patience.

Statement

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## Petition for Variance

to the Zoning Commissioner of Baltimore County

92-32-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby, petition for a

Variance from Section 11.1 of the Zoning Regulations of Baltimore County, to allow the property to be used for a

residential use, to be more specifically, to allow the property to be used for a residential use, to be more specifically, to allow the property to be used for a

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## FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

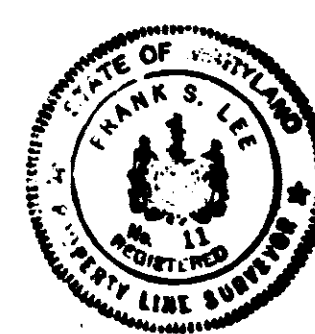
July 16, 1991

92-32-A

Lot 3, Ruscito Subdivision, Liber 8600 folio 538  
14th District Baltimore County, Maryland

Beginning for the same on the north side of Spring Avenue at the distance of 800 feet more or less measured along the northeast and north side of Spring Avenue from the northwest side of Karl Avenue, thence running and binding on the north side of Spring Avenue North 66 degrees 15 minutes West 12 feet, thence leaving Spring Avenue for 8 lines of division as follows: North 21 degrees 20 minutes East 118.85 feet, North 15 degrees 12 minutes 50 seconds East 154.21 feet, North 66 degrees 15 minutes West 161.67 feet, North 23 degrees 45 minutes East 58.75 feet, South 66 degrees 15 minutes East 177.65 feet, South 21 degrees 20 minutes West 117.60 feet, South 15 degrees 12 minutes 50 seconds West 93.65 feet and South 21 degrees 20 minutes West 120 feet to the place of beginning.

Containing 0.32 acres of land more or less.



## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

TOWSON, MARYLAND

District: 14th  
Posted for: 92-32-A  
Petitioner: Frank S. Lee  
Location of property: 1277 Neighbors Ave., 14th Dist. Baltimore County, Md.  
Location of Sign: 1277 Neighbors Ave., 14th Dist. Baltimore County, Md.  
Remarks: 92-32-A  
Posted by: [Signature]  
Number of Signs: 1  
Date of Posting: 7/16/91  
Date of return: 7/16/91

MICROFILMED

## CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/15/91

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zate Olson

Publisher

\$61.91

MICROFILMED

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 8-15-91

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8-15-91

THE JEFFERSONIAN

S. Zate Olson

Publisher

\$61.91

MICROFILMED

Baltimore County  
Zoning Commission  
County Office Building  
221 West Chesapeake Avenue  
Towson, Maryland 21204

Account: B-001-6150

Number

19244223

DATE OF POSTING

DATE OF RETURN

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

DATE OF PUBLICATION

Please Make Checks Payable To: Baltimore County

044040005HCHRC

000002126P07-17-91

\$35.00

receipt

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Date \_\_\_\_\_ Account: R-001-4150  
Number \_\_\_\_\_

Cashier Validation

receipt

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Date \_\_\_\_\_ Account: R-001-4150  
Number \_\_\_\_\_

Cashier Validation

COPY

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

DATE: 8/27/91

Joseph M. Ruscito  
1418 Spring Avenue  
Baltimore, MD 21237

RE:  
Case Number: 92-32-A  
NE/S Spring Avenue, 815' NW of c/l Earl Avenue  
1418 Spring Avenue  
14th Election District - 6th Councilmanic  
Petitioner(s): Joseph M. Ruscito  
HEARING: FRIDAY, SEPTEMBER 27, 1991 at 10:30 a.m.

Dear Petitioner(s):

Please be advised that \$86.91 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE CASE SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 West Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

COPY

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

AUGUST 2, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-32-A  
NE/S Spring Avenue, 815' NW of c/l Earl Avenue  
1418 Spring Avenue  
14th Election District - 6th Councilmanic  
Petitioner(s): Joseph M. Ruscito  
HEARING: FRIDAY, SEPTEMBER 27, 1991 at 10:30 a.m.

Variance to permit a 10 ft. window and building to tract boundary setback in lieu of 35 ft. and 30 ft., respectively.

J. Robert J. [Signature]  
Zoning Commissioner of  
Baltimore County

cc: Joseph M. Ruscito  
Frank S. Lee

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

September 12, 1991

Mr. Joseph M. Ruscito  
1418 Spring Avenue  
Baltimore, MD 21237

RE: Item No. 23, Case No. 92-32-A  
Petitioner: Joseph M. Ruscito  
Petition for Variance

Dear Mr. Ruscito:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
James E. Oyer  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Frank S. Lee  
1277 Neighbors Avenue  
Baltimore, MD 21237

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 31st day of July, 1991.

Arnold Jablon  
DIRECTOR

Received By:  
James E. Oyer  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Joseph M. Ruscito  
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: September 11, 1991

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJ: Joseph M. Ruscito, Item No. 23

In reference to the petitioner's request, staff offers the following comments:

Based upon a review of the applicant's proposal, this office recommends the owner or his or her representative meet with this office to develop a more suitable alternative. In the absence of a meeting between the applicant and staff, the Office of Planning and Zoning recommends the request be denied.

If there should be any further questions, or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL/rdn

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

August 15, 1991

TO: ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: RICHARD F. SEIM, PLANS REVIEW CHIEF,  
DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 23  
PROPERTY OWNER: Joseph M. Ruscito  
LOCATION: NE/S Spring Avenue, 815' NW of centerline  
Earl Avenue (#1418 Spring Avenue)  
ELECTION DISTRICT: 14th  
COUNCILMANIC DISTRICT: 6th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

( ) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

( ) PARKING LOCATION ( ) RAMPS (degree slope)  
( ) NUMBER PARKING SPACES ( ) CURB CUTS  
( ) BUILDING ACCESS ( ) SIGNAGE

( ) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

(X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

( ) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

( ) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 517.0 COUNCIL BILL #192-90 (BALTIMORE COUNTY BUILDING CODE).

( ) OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY COUNCIL BILL #192-90 EFFECTIVE 1/13/91

MICROFILMED

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management

DATE: August 1, 1991

FROM: Robert W. Bowling, P.E.

SUBJ: Zoning Advisory Committee Meeting  
for July 30, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 505, 3, 7, 9, 10, 17, 18, 19, 21, 22, 23, 24, 27, 30 and 31.

For Item 20, the extension of public water, sewer and paving may be required, prior to issuance of a building permit for this lot.

For Item 26, the previous County Review Group comments are still applicable.

Robert W. Bowling  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:e

MICROFILMED



92-32-A 7/31

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

Date: August 30, 1991

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration and  
Development Management

FROM: Rahee J. Famili

SUBJECT: Z. A. C. Comments

Z. A. C. MEETING DATE: July 30, 1991

This office has no comments for item numbers 505,  
3, 9, 10, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 30 and 31.Rahee J. Famili  
Traffic Engineer II

RJF:bza

Rec'd 9/4/91

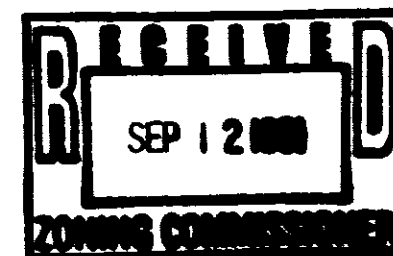
Sign  
9/27/91BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCETO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: September 11, 1991

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJ: Joseph M. Ruscito, Item No. 23

92-32-A

In reference to the petitioner's request, staff offers the  
following comments:Based upon a review of the applicant's proposal, this office  
recommends the owner or his or her representative meet with this  
office to develop a more suitable alternative. In the absence of a  
meeting between the applicant and staff, the Office of Planning and  
Zoning recommends the request be denied.If there should be any further questions, or if this office can  
provide additional information, please contact Jeffrey Long in the  
Office of Planning at 887-3211.

PK:JL/rdn

92-32-A 7/27/91

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 24, 1991  
Zoning Administration and  
Development ManagementFROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Joseph M. Ruscito, Item No. 23 Revised Comment

In reference to the petitioner's request, staff offers the  
following comments.Staff has been in contact with Mr. Ruscito to address the  
concerns outlined in our September 11, 1991 comments. As a result  
of our discussion, this office supports the applicant's request  
provided that any construction be architecturally compatible  
with the predominant character of the neighborhood. Prior to the  
issuance of any permits, building plans should be approved by the  
deputy director of the office of Planning and Zoning.If there should be any further questions or if this office can  
provide additional information, please contact Jeffrey Long in the  
Office of Planning at 887-3211.

PK/JL/rdn

ITEMNO23/TKTROZ

Rec'd 9/4/91

11/3/91  
8

Jan 16/92

Richard E. Radecke  
1418.5 Spring Ave.  
Baltimore, MD 21237  
1-301-686-3516

October 3, 1991

Arnold Jablon  
Dir. of Zoning Admin. & Development Mgt.  
Rm. 109  
111 W. Chesapeake Ave.  
Towson, Md. 21204

Dear Mr. Jablon:

Request a copy of Variance hearing tape for the following case:

Case # 92-32-A  
Sep. 27, 1991  
Ruscito

Thank you in advance for your cooperation.

Very truly yours,

Richard E. Radecke  
Richard E. Radecke

Variance

Page 1

## BALTIMORE COUNTY, MARYLAND

## Inter-Office Correspondence

TO: John Reisinger DATE: Nov. 16, 1991  
Building Engineer  
Department of Permits and LicensesFROM: David Green  
Planner  
Zoning Administration & Development ManagementSUBJECT: 1418A Spring Avenue  
B-110388On October 28, 1991, this office approved the above referenced  
building permit in error.A variance was requested for this property in a public  
hearing, Case No. 92-32A, on September 28, 1991.As of this date, no order has been written granting or denying  
a variance for the above referenced address. Since no order has been  
written, this office is rescinding its approval of Building Permit  
#B-110388.

DG/jat

Permit  
Mr. Joe Ruscito, 1418 Spring Ave 21237  
John D. Green  
John Ruscito, 1418 Spring Ave 21237

MICROFILMED

Baltimore County Government  
Department of Permits and Licenses111 West Chesapeake Avenue  
Towson, MD 21204

November 19, 1991

887-3610

Mr. Joe Ruscito  
1418 Spring Avenue  
Baltimore, Maryland 21237Re: B-110388  
1418 A Spring Avenue

Dear Mr. Ruscito:

Based on information received from the Office of Zoning, Permit  
#B110388 is hereby suspended. All work being done under this permit must  
cease until the problems are resolved and the permit can be reinstated.  
Please contact Mr. Dave Green for details at 887-3391.

Very truly yours

John R. Reisinger, P.E.  
Building Engineer

JRR/nmg

cc: Dave Green  
correspondence  
building inspection

MICROFILMED

Dave

You approved a bldg  
permit # B110388 which  
is the subject of a not unresolved  
variance in Case # 92-32  
(Harry is the Hearing Officer)

The City called who is involved  
in some way and asked that this be  
corrected. Name Shaun Alcaraz 339-7317

You should see Harry and probably  
the permit will have to be pulled.

Please Contact atty asap as  
these guys are already digging foundations.  
See if you can get permits out now stop work.  
if Harry thinks its appropriate

JOHN L.

## PLEASE PRINT CLEARLY

## PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Ruscito Joseph Sr	1418 Spring Ave
Ruscito Joseph Jr	16 Royal Road Box 21237
FRANK LEE	1271 NEIGHBORHOOD AVE 21237

## PLEASE PRINT CLEARLY

## PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Richard Radecke	1418.5 Spring Ave
	Baltimore MD 21237

MICROFILMED



Drainage Study  
of 1418.5 Spring Ave.  
by Chesapeake Geotechnical Consultants, Inc.

Prepared For

MR. AND MRS. RICHARD E. RADECKE  
JACOBS



**HESAPEAKE GEOTECHNICAL CONSULTANTS, INC.**  
Consulting Engineers & Geophysicists  
May 1991

Copy Tax Assessment Worksheet  
Joseph M. Ruscito  
1418 Spring Ave.  
Baltimore, MD 21237  
Notation "addl 5% for basemen

Notation "addl 5% for basement", problem?

# TRANS

TRANSFER NO. \_\_\_\_\_  
 TRANSFER DATE \_\_\_\_\_  
 HOUSE NO. \_\_\_\_\_

CAPTAINED G.R. 000

CHECKED BY RS

STATE STAMP

CONSIDERATIO

APPROVED G.R.

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Reporter's Official Transcript of Proceedings  
Case # 90CG1573  
Circuit Court of Baltimore County  
Sep. 5, 1990  
Radecke v Ruscito  
Pages 1, 20-23, 39 Direct examination of Mr. Ruscito by Mr. Caldwell

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY, MARYLAND

RICHARD RADECKE

vs.

Case No. 90CG1573

JOSEPH RUSCITO

REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS

Towson, Maryland  
September 5, 1990

BEFORE:

THE HONORABLE JOHN F. Pader, II, ASSOCIATE JUDGE

APPEARANCES:

For the Plaintiff:

J. Shawn ALCARESE, Esquire

For the Defendant:

GERARD V. CALDWELL, Esquire

Reported by:

June D. Mackubin,  
Official Court Reporter  
M-11 County Courts Building  
Towson, Maryland 21204

June D. Mackubin, Official Court Reporter

$$a_{p,q} \in \mathcal{A}^{(p,q)}_{\text{loc}}$$

Copy Tax Assessment Worksheet

Charles Frush  
1420 Spring Ave.  
Baltimore Md. 21237  
Acct# 14-06-059180  
NOTATION "Basement floods continuously

[illegible]

Carb & Gutter

ASSESSORS WORK SHEET				BUILDING DATA				RESIDENTIAL			
1. TYPE OF BUILDING				2. USE				3. LOCATION			
1 story	Full Basement	10. HEATING	11. FLOOR COVER	12. AREA	13. ZONE	14. DISTRICT	15. TYPE	16. ADDRESS			
1 story	Part Basement	11. Radiant	12. One or More	13. 1	14. 0	15. 0	16. A				
2 story	Crawl	12. Hot Water	13. 1	14. 2	15. 3	16. 4	17. 5				
2 story	Slab	13. Radiant	14. 1	15. 2	16. 3	17. 4	18. 5				
Split Level	Basement or Floor	14. Electric Hot Air	15. 1	16. 2	17. 3	18. 4	19. 5				
Split Level	Full Basement	15. Electric Floor Heat	16. 1	17. 2	18. 3	19. 4	20. 5				
Split Level	Finished Area	16. Electric Hot Air	17. 1	18. 2	19. 3	20. 4	21. 5				
Split Level	Basement	17. Electric Floor Heat	18. 1	19. 2	20. 3	21. 4	22. 5				
Split Level	Basement	18. Electric Hot Air	19. 1	20. 2	21. 3	22. 4	23. 5				
Split Level	Basement	19. Electric Floor Heat	20. 1	21. 2	22. 3	23. 4	24. 5				
Split Level	Basement	20. Electric Hot Air	21. 1	22. 2	23. 3	24. 4	25. 5				
Split Level	Basement	21. Electric Floor Heat	22. 1	23. 2	24. 3	25. 4	26. 5				
Split Level	Basement	22. Electric Hot Air	23. 1	24. 2	25. 3	26. 4	27. 5				
Split Level	Basement	23. Electric Floor Heat	24. 1	25. 2	26. 3	27. 4	28. 5				
Split Level	Basement	24. Electric Hot Air	25. 1	26. 2	27. 3	28. 4	29. 5				
Split Level	Basement	25. Electric Floor Heat	26. 1	27. 2	28. 3	29. 4	30. 5				
Split Level	Basement	26. Electric Hot Air	27. 1	28. 2	29. 3	30. 4	31. 5				
Split Level	Basement	27. Electric Floor Heat	28. 1	29. 2	30. 3	31. 4	32. 5				
Split Level	Basement	28. Electric Hot Air	29. 1	30. 2	31. 3	32. 4	33. 5				
Split Level	Basement	29. Electric Floor Heat	30. 1	31. 2	32. 3	33. 4	34. 5				
Split Level	Basement	30. Electric Hot Air	31. 1	32. 2	33. 3	34. 4	35. 5				
Split Level	Basement	31. Electric Floor Heat	32. 1	33. 2	34. 3	35. 4	36. 5				
Split Level	Basement	32. Electric Hot Air	33. 1	34. 2	35. 3	36. 4	37. 5				
Split Level	Basement	33. Electric Floor Heat	34. 1	35. 2	36. 3	37. 4	38. 5				
Split Level	Basement	34. Electric Hot Air	35. 1	36. 2	37. 3	38. 4	39. 5				
Split Level	Basement	35. Electric Floor Heat	36. 1	37. 2	38. 3	39. 4	40. 5				
Split Level	Basement	36. Electric Hot Air	37. 1	38. 2	39. 3	40. 4	41. 5				
Split Level	Basement	37. Electric Floor Heat	38. 1	39. 2	40. 3	41. 4	42. 5				
Split Level	Basement	38. Electric Hot Air	39. 1	40. 2	41. 3	42. 4	43. 5				
Split Level	Basement	39. Electric Floor Heat	40. 1	41. 2	42. 3	43. 4	44. 5				
Split Level	Basement	40. Electric Hot Air	41. 1	42. 2	43. 3	44. 4	45. 5				
Split Level	Basement	41. Electric Floor Heat	42. 1	43. 2	44. 3	45. 4	46. 5				
Split Level	Basement	42. Electric Hot Air	43. 1	44. 2	45. 3	46. 4	47. 5				
Split Level	Basement	43. Electric Floor Heat	44. 1	45. 2	46. 3	47. 4	48. 5				
Split Level	Basement	44. Electric Hot Air	45. 1	46. 2	47. 3	48. 4	49. 5				
Split Level	Basement	45. Electric Floor Heat	46. 1	47. 2	48. 3	49. 4	50. 5				
Split Level	Basement	46. Electric Hot Air	47. 1	48. 2	49. 3	50. 4	51. 5				
Split Level	Basement	47. Electric Floor Heat	48. 1	49. 2	50. 3	51. 4	52. 5				
Split Level	Basement	48. Electric Hot Air	49. 1	50. 2	51. 3	52. 4	53. 5				
Split Level	Basement	49. Electric Floor Heat	50. 1	51. 2	52. 3	53. 4	54. 5				
Split Level	Basement	50. Electric Hot Air	51. 1	52. 2	53. 3	54. 4	55. 5				
Split Level	Basement	51. Electric Floor Heat	52. 1	53. 2	54. 3	55. 4	56. 5				
Split Level	Basement	52. Electric Hot Air	53. 1	54. 2	55. 3	56. 4	57. 5				
Split Level	Basement	53. Electric Floor Heat	54. 1	55. 2	56. 3	57. 4	58. 5				
Split Level	Basement	54. Electric Hot Air	55. 1	56. 2	57. 3	58. 4	59. 5				
Split Level	Basement	55. Electric Floor Heat	56. 1	57. 2	58. 3	59. 4	60. 5				
Split Level	Basement	56. Electric Hot Air	57. 1	58. 2	59. 3	60. 4	61. 5				
Split Level	Basement	57. Electric Floor Heat	58. 1	59. 2	60. 3	61. 4	62. 5				
Split Level	Basement	58. Electric Hot Air	59. 1	60. 2	61. 3	62. 4	63. 5				
Split Level	Basement	59. Electric Floor Heat	60. 1	61. 2	62. 3	63. 4	64. 5				
Split Level	Basement	60. Electric Hot Air	61. 1	62. 2	63. 3	64. 4	65. 5				
Split Level	Basement	61. Electric Floor Heat	62. 1	63. 2	64. 3	65. 4	66. 5				
Split Level	Basement	62. Electric Hot Air	63. 1	64. 2	65. 3	66. 4	67. 5				
Split Level	Basement	63. Electric Floor Heat	64. 1	65. 2	66. 3	67. 4	68. 5				
Split Level	Basement	64. Electric Hot Air	65. 1	66. 2	67. 3	68. 4	69. 5				
Split Level	Basement	65. Electric Floor Heat	66. 1	67. 2	68. 3	69. 4	70. 5				
Split Level	Basement	66. Electric Hot Air	67. 1	68. 2	69. 3	70. 4	71. 5				
Split Level	Basement	67. Electric Floor Heat	68. 1	69. 2	70. 3	71. 4	72. 5				
Split Level	Basement	68. Electric Hot Air	69. 1	70. 2	71. 3	72. 4	73. 5				
Split Level	Basement	69. Electric Floor Heat	70. 1	71. 2	72. 3	73. 4	74. 5				
Split Level	Basement	70. Electric Hot Air	71. 1	72. 2	73. 3	74. 4	75. 5				
Split Level	Basement	71. Electric Floor Heat	72. 1	73. 2	74. 3	75. 4	76. 5				
Split Level	Basement	72. Electric Hot Air	73. 1	74. 2	75. 3	76. 4	77. 5				
Split Level	Basement	73. Electric Floor Heat	74. 1	75. 2	76. 3	77. 4	78. 5				
Split Level	Basement	74. Electric Hot Air	75. 1	76. 2	77. 3	78. 4	79. 5				
Split Level	Basement	75. Electric Floor Heat	76. 1	77. 2	78. 3	79. 4	80. 5				
Split Level	Basement	76. Electric Hot Air	77. 1	78. 2	79. 3	80. 4	81. 5				
Split Level	Basement	77. Electric Floor Heat	78. 1	79. 2	80. 3	81. 4	82. 5				
Split Level	Basement	78. Electric Hot Air	79. 1	80. 2	81. 3	82. 4	83. 5				
Split Level	Basement	79. Electric Floor Heat	80. 1	81. 2	82. 3	83. 4	84. 5				
Split Level	Basement	80. Electric Hot Air	81. 1	82. 2	83. 3	84. 4	85. 5				
Split Level	Basement	81. Electric Floor Heat	82. 1	83. 2	84. 3	85. 4	86. 5				
Split Level	Basement	82. Electric Hot Air	83. 1	84. 2	85. 3	86. 4	87. 5				
Split Level	Basement	83. Electric Floor Heat	84. 1	85. 2	86. 3	87. 4	88. 5				
Split Level	Basement	84. Electric Hot Air	85. 1	86. 2	87. 3	88. 4	89. 5				
Split Level	Basement	85. Electric Floor Heat	86. 1	87. 2	88. 3	89. 4	90. 5				
Split Level	Basement	86. Electric Hot Air	87. 1	88. 2	89. 3	90. 4	91. 5				
Split Level	Basement	87. Electric Floor Heat	88. 1	89. 2	90. 3	91. 4	92. 5				
Split Level	Basement	88. Electric Hot Air	89. 1	90. 2	91. 3	92. 4	93. 5				
Split Level	Basement	89. Electric Floor Heat	90. 1	91. 2	92. 3	93. 4	94. 5				
Split Level	Basement	90. Electric Hot Air	91. 1	92. 2	93. 3	94. 4	95. 5				
Split Level	Basement	91. Electric Floor Heat	92. 1	93. 2	94. 3	95. 4	96. 5				
Split Level	Basement	92. Electric Hot Air	93. 1	94. 2	95. 3	96. 4	97. 5				
Split Level	Basement	93. Electric Floor Heat	94. 1	95. 2	96. 3	97. 4	98. 5				
Split Level	Basement	94. Electric Hot Air	95. 1	96. 2	97. 3	98. 4	99. 5				
Split Level	Basement	95. Electric Floor Heat	96. 1	97. 2	98. 3	99. 4	100. 5				
Split Level	Basement	96. Electric Hot Air	97. 1	98. 2	99. 3	100. 4	101. 5				
Split Level	Basement	97. Electric Floor Heat	98. 1	99. 2	100. 3	101. 4	102. 5				
Split Level	Basement	98. Electric Hot Air	99. 1	100. 2	101. 3	102. 4	103. 5				
Split Level	Basement	99. Electric Floor Heat	100. 1	101. 2	102. 3	103. 4	104. 5				
Split Level	Basement	100. Electric Hot Air	101. 1	102. 2	103. 3	104. 4	105. 5				
Split Level	Basement	101. Electric Floor Heat	102. 1	103. 2	104. 3	105. 4	106. 5				
Split Level	Basement	102. Electric Hot Air	103. 1	104. 2	105. 3	106. 4	107. 5				
Split Level	Basement	103. Electric Floor Heat	104. 1	105. 2	106. 3	107. 4	108. 5				
Split Level	Basement	104. Electric Hot Air	105. 1	106. 2	107. 3	108. 4	109. 5				
Split Level	Basement	105. Electric Floor Heat	106. 1	107. 2	108. 3	109. 4	110. 5				
Split Level	Basement	106. Electric Hot Air	107. 1	108. 2	109. 3	110. 4	111. 5				
Split Level	Basement	107. Electric Floor Heat	108. 1	109. 2	110. 3	111. 4	112. 5				
Split Level	Basement	108. Electric Hot Air	109. 1	110. 2	111. 3	112. 4	113. 5				
Split Level	Basement	109. Electric Floor Heat	110. 1	111. 2	112. 3	113. 4	114. 5				
Split Level	Basement	110. Electric Hot Air	111. 1	112. 2	113. 3	114. 4	115. 5				
Split Level	Basement	111. Electric Floor Heat	112. 1	113. 2	114. 3	115. 4	116. 5				
Split Level	Basement	112. Electric Hot Air	113. 1	114. 2	115. 3	116. 4	117. 5				
Split Level	Basement	113. Electric Floor Heat	114. 1	115. 2	116. 3	117. 4	118. 5				
Split Level	Basement	114. Electric Hot Air	115. 1	116. 2	117. 3	118. 4	119. 5				
Split Level	Basement	115. Electric Floor Heat	116. 1	117. 2	118. 3	119. 4	120. 5				
Split Level	Basement	116. Electric Hot Air	117. 1	118. 2	119. 3	120. 4	121. 5				
Split Level	Basement	117. Electric Floor Heat	118. 1	119. 2	120. 3	121. 4	122. 5				
Split Level	Basement	118. Electric Hot Air	119. 1	120. 2	121. 3	122. 4	123. 5				
Split Level	Basement	119. Electric Floor Heat	120. 1	121. 2	122. 3	123. 4	124. 5				
Split Level	Basement	120. Electric Hot Air	121. 1	122. 2	123. 3	124. 4	125. 5				
Split Level	Basement	121. Electric Floor Heat	122. 1	123. 2	124. 3	125. 4	126. 5				
Split Level	Basement	122. Electric Hot Air	123. 1	124. 2	125. 3	126. 4	127. 5				
Split Level	Basement	123. Electric Floor Heat	124. 1	125. 2	126. 3	127. 4	128. 5				
Split Level	Basement	124. Electric Hot Air	125. 1	126. 2	127. 3	128. 4	129. 5				
Split Level	Basement	125. Electric Floor Heat	126. 1	127. 2	128. 3	129. 4	130. 5				
Split Level	Basement	126. Electric Hot Air	127. 1	128. 2	129. 3	130. 4	131. 5				
Split Level	Basement	127. Electric Floor Heat	128. 1	129. 2	130. 3	131. 4	132. 5				
Split Level	Basement	128. Electric Hot Air	129. 1	130. 2	131. 3	132. 4	133. 5				
Split Level	Basement	129. Electric Floor Heat	130. 1	131. 2	132. 3	133. 4	134. 5				
Split Level	Basement	130. Electric Hot Air	131. 1	132. 2	133. 3	134. 4	135. 5				
Split Level	Basement	131. Electric Floor Heat	132. 1	133. 2	134. 3	135. 4	136. 5				
Split Level	Basement	132. Electric Hot Air	133. 1	134. 2							



**GENERAL NOTES**

- EX ZONING - D2.B5
- DEED REF. - 0042-635
- FLOOR # - 22.00 SQM/210
- PUBLIC WATER - SERVICE IN SPRING AVENUE

**PLOT PLAN**

PROPERTY OF  
**JOSEPH RUBICATO**  
1032 SPRING AVENUE  
WESTMINSTER, MD 21150  
(301) 566-6518

**SPRING AVENUE**

[illegible]

ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

DIRECTOR Robert W. Glesby DATE 5/2/88 RBS

LOCATION MAP  
SCALE 1" = 900'

OWNER  
JOSEPH DUSCITO  
1118 SPRING AVE  
BALTO, MD. 21237

EX. ZONING - DR 5.5  
No FUEL TANKS  
No STREAMS  
No WETLANDS  
PUBLIC WATER - SEWER IN SPRING AVE

SPRING AVE

DUSCITO PROPERTY  
14TH DISTRICT BALTIMORE CO., MARYLAND  
SCALE 1" = 50' DATE 8-11-88

1277 NEIGHBORS AVE  
BALTIMORE, MD. 21237

T-3175  
 8000' 100' 20' 20'  
 N  
 LOCATION MAP  
 SCALE 1" = 1000'

566°-15'-00"E 177.65  
 35' 10' 35'  
 LOT 3  
 LOT 2  
 LOT 1  
 154.21  
 117.40  
 521°-20'-00"W  
 93.65  
 515°-12'-50"W  
 12.00  
 521°-20'-00"W 120.00  
 515°-12'-50"E  
 93.35  
 521°-20'-00"E 113.35  
 114.18  
 815' NW CL  
 of Karl Ave

EXHIBIT 601 #23  
 SPRING(50') AVE.  
 \* The gross acreage of Lots 1, 2, + 3 (1.114 ac)  
 + the current zoning yields the potential for  
 C lots where large tract regulations apply (ie tract boundary)  
 PLAT to ACCOMPANY PETITION for a SIDE YARD VARIANCE  
 TO ALLOW a SIDE YARD SETBACK of 10 FEET INLIEU OF  
 THE REQUIRED 35 FEET

LOT 3 RUSCITO SUBDIVISION  
 LIBER 8600 PAGE 538  
 14th District Baltimore Co., Maryland  
 Scale: 1" = 50' Date 7/16/91

FRANK S. LEW  
 1277 NEIGHBORS AVE.  
 BALTIMORE, MD 21217

[illegible]